

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

CRP.No. 626 of 2007

(I.A NO. 412/2004 IN OS NO. 139/90 OF THE SUB COURT, SULTHANBATHERY
DATED 31/03/2006)

REVN. PETITIONER: PLAINTIFFS

-
1. RADHAMANI, W/O.LATE O.E.RAGHAVAN,
OLEDATH HOUSE, THANKAMANI VILLAGE,
UDUMBANCHOLA TALUK AND PRESENTLY RESIDING AT
OLEDATH HOUSE, MANAKKAD KARA, MANAKKAD VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.
 2. RAJESH, S/O.LATE O.E.RAGHAVAN,
OLEDATH HOUSE, THANKAMANI VILLAGE,
UDUMBANCHOLA TALUK AND PRESENTLY RESIDING AT
OLEDATH HOUSE, MANAKKAD KARA, MANAKKAD VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.
 3. RAJIMOL, D/O.LATE O.E.RAGHAVAN,
OLEDATH HOUSE, THANKAMANI VILLAGE,
UDUMBANCHOLA TALUK AND PRESENTLY RESIDING AT
OLEDATH HOUSE, MANAKKAD KARA, MANAKKAD VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.
 4. RATHEESH, S/O.LATE O.E.RAGHAVAN,
OLEDATH HOUSE, THANKAMANI VILLAGE,
UDUMBANCHOLA TALUK AND PRESENTLY RESIDING AT
OLEDATH HOUSE, MANAKKAD KARA, MANAKKAD VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.

BY ADV. SRI.JOSE JOSEPH ARAYAKUNNEL

RESPONDENTS: DEFENDANTS

-
1. CHAIRMAN, KSEB, THIRUVANANTHAPURAM.
 2. EXECUTIVE ENGINEER, DIVISIONAL OFFICE,
KSEB, WAYANAD, KALPETTA.

C.R.P NO. 626/2007 F

**3. ASSU, S/O.IBRAHIM HAJEE,
VAYYAPPURATH HOUSE, CHANDAKUNNU,
MEPPADI P.O., KOTTAPADI VILLAGE,
VYTHIRI TALUK.**

**4. THE CHIEF ELECTRICAL INSPECTOR,
GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.**

**5. STATE OF KERALA, REP. BY DISTRICT
COLLECTOR, WAYANAD, CIVIL STATION,
KALPETTA NORTH.**

**BY ADV. SRI. ASOK M.CHERIYAN, SC, KSEB
GOVERNMENT PLEADER SMT. R.BINDHU**

**THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 08/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

M.N.KRISHNAN, J

=====

C.R.P. No.626 OF 2007

=====

Dated this the 8th day of October 2007

ORDER

This is an unfortunate case where the plaintiff has been sleeping over the matter for decades together. The judgment of the first court was pronounced as early as on 30.9.1992 and the application for amendment of the decree is filed in 2006. As per the judgment, there has been direction to pay interest. One can understand some lapses or delay, but not to this extent. Actually if the decree is to be put into execution even 15 years have elapsed and now attempting to correct the judgment will certainly prejudicially affect the right of the other party. Therefore I do not find any mistake committed by the court below in rejecting the prayer. hence the C.R.P. is dismissed.

M.N.KRISHNAN, JUDGE

Cdp/-